

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F039636 Flournoy et al., v. Barry et al.,

The stipulated judgment filed September 26, 2001 is reversed.
This case is remanded for further proceedings. Appellants shall
recover their costs on appeal.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039925 People v. Garcia

Counsel having failed to request oral argument in the above-
entitled case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.

F039925 People v. Garcia

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039784 People v. Magee

The judgment is affirmed. Cornell, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[CERTIFIED FOR PUBLICATION]

F039132 People v. Franklin et al.

The judgment as to Franklin is affirmed. The judgment as to
White is affirmed. The trial court is directed on remand to prepare,
and distribute as appropriate, corrected abstracts of judgment which
show that the presentence conduct credits were awarded pursuant to
section 2933.1. Dibiaso, Acting P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041640 In re J.N., a Minor

Counsel having failed to request oral argument in the above-
entitled case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.

IN THE

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F041307 People v. Hernandez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F041307 People v. Hernandez

The judgment is modified to impose the middle term of two years in prison on count 2, violation of health and Safety Code section 11377, subdivision (a). As modified, the judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment reflecting this modification.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039069 In re Marriage of Tsapanos

The August 3, 2001, order confirming the commissioner's March 30, 2000, order is reversed and the matter is remanded for further proceedings consistent with this opinion. The parties to bear their own costs on appeal. Levy, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042093 Albert A., v. Kern Co. Dept. of Human Services

Let an extraordinary writ issue directing the respondent court to vacate its order of December 10, 2002, terminating reunification services and setting the section 366.26 hearing and reverse its finding that petitioner was provided reasonable services. Respondent court is further directed to conduct a hearing and enter a new order reinstating reunification services for an additional six months.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038825 People v. Sivichith

Respondent's petition for rehearing filed herein is denied.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041638 In re Francisco G., a Minor.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041638 In re Francisco G., a Minor.

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]